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09-15-01

CPA/1753\$

PTO/SB/29 (10/00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:
☐ **DUPLICATE**

Address to:

Assistant Commissioner for Patents
Box CPA
Washington, DC 20231

Attorney Docket No. of Prior Application	514425-35961
First Named Inventor	Nakamura et al
Examiner Name	J. Dote
Group/Art Unit	1753
Express Mail Label No.	EL819167582US

RECEIVED
SEP 19 2001
TC 1700

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. 1.53(d), (continued prosecution application (CPA)) of prior application number 09/000,330, filed on 5/20/1998, entitled **CONER FOR DEVELOPING ELECTROSTATICALLY CHARGED IMAGE OF HEAT ROLLER TYPE COPIER OR PRINTER**

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b) or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P- NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. ☒ Enter the unentered amendments previously filed on April 12, 2001 and July 23, 2001 under 37 C.F.R. 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. 1.53(d)(4).
 - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:
 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. ☐ PTO-1449
 - b. ☐ Copies of IDS Citations

09/18/2001 AWONDAF1 00000069 09000330

09/18/2001 AWONDAF1 00000069 09000330

01 FC:131

710.00 OP

02 FC:117

890.00 OP

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR. 1.16(c) or (j))	4 - 20* =	0	x \$ 18 =	\$ 0.00
	INDEPENDENT CLAIMS (37 CFR. 1.16(b) or (i))	1 - 3** =	0	x \$ 80 =	0.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ =	
				BASIC FEE (37 C.F.R. § 1.16)	710.00
	Total of above Calculations =				\$ 710.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				
	* Reissue claims in excess of 20 and over original patent.				710.00
	** Reissue independent claims over original patent				
	TOTAL =				\$ 710.00

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27)
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. **50-0320**
- a. ☐ Fees required under 37 C.F.R. 1.16.
- b. ☐ Fees required under 37 C.F.R. 1.17.
- c. ☐ Fees required under 37 C.F.R. 1.18.
8. ☒ A check in the amount of \$**710.00** is enclosed.
9. ☐ Payment by credit card. Form PTO-2038 is attached.
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11. ☐ New Attorney Docket Number, if desired
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]
12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503).
13. ☒ Other: Pursuant to 37 C.F.R. 1.136(a) Applicants petition the Assistant Commissioner to extend the time period to respond to the Notice of Appeal by three months; i.e. up to and including September 16, 2001. Enclosed is a check for \$890.00.

NOTE: *The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.*

14. NEW CORRESPONDENCE ADDRESS

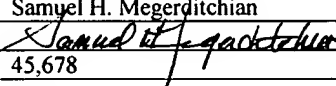
☐ Customer Number or Bar Code Label

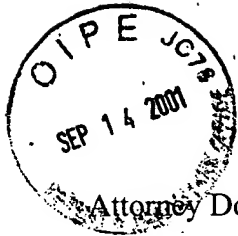
(Insert Customer No. or Attach bar code label here)

or ☒ New correspondence address below

Name	William F. Lawrence FROMMER LAWRENCE & HAUG LLP				
Address	745 Fifth Avenue				
City	New York	State	NY	Zip Code	10151
Country	U.S.	Telephone	(212) 588-0800	Fax	(212) 588-0500

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Samuel H. Megerditchian
Signature	
Registration No. (Attorney/Agent)	45,678
Date	September 14, 2001



CERTIFICATE OF MAILING - SEPARATE PAPER - CPA

Attorney Docket No. : 514425-3596.1

Title : **TONER FOR DEVELOPING ELECTROSTATICALLY
CHARGED IMAGE OF HEAT ROLLER TYPE COPIER
OR PRINTER**

Filed : May 20, 1998

Applicants : Nakamura et al

Date Mailed : **September 14, 2001** via "Express Mail Label # EL 819167582US

I hereby certify that the Continued Prosecution Application for the above-referenced application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to:

BOX CPA
Assistant Commissioner for Patents
Washington, D.C. 20231

Charles B. Jackson
(Type/printed name of person mailing paper or fee)

Charles B. Jackson
Signature

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SEP 19 2001
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